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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/626,824	07/27/2000	Seok-Hyo Park	678-517 (P8784)	678-517 (P8784) 9607	
28249	7590 01/30/2006		EXAMINER		
DILWORTH & BARRESE, LLP			TRINH, TAN H		
333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			ART UNIT	PAPER NUMBER	
	,		2684		
			DATE MAILED: 01/30/2006	DATE MAILED: 01/30/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

	ł	Application No.	Applicant(s)			
Office Action Summary		09/626,824	PARK, SEOK-HYO			
		Examiner	Art Unit			
	·	TAN TRINH	2684			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status						
1)⊠	Responsive to communication(s) filed on <u>31 October 2005</u> .					
2a)□	This action is FINAL . 2b) This action is non-final.					
3) 🗌	Since this application is in condition for allowance except for formal matters, prosecution as to the ments is					
	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.					
Dispositi	on of Claims					
4) 🖂	4)⊠ Claim(s) <u>2 and 4</u> is/are pending in the application.					
	4a) Of the above claim(s) is/are withdrawn from consideration.					
5)	5) Claim(s) is/are allowed.					
6)⊠	6)⊠ Claim(s) <u>2 and 4</u> is/are rejected.					
7)	7) Claim(s) is/are objected to.					
8) 🗌	Claim(s) are subject to restriction and/or	r election requirement.				
Application Papers						
9)☐ The specification is objected to by the Examiner.						
10)⊠ The drawing(s) filed on <u>27 July 2000</u> is/are: a)⊠ accepted or b)□ objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority under 35 U.S.C. § 119						
12)⊠ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)⊠ All b)□ Some * c)□ None of:						
1.⊠ Certified copies of the priority documents have been received.						
2. Certified copies of the priority documents have been received in Application No						
3. Copies of the certified copies of the priority documents have been received in this National Stage						
application from the International Bureau (PCT Rule 17.2(a)).						
* See the attached detailed Office action for a list of the certified copies not received.						
Attachment(s)						
1) Notic	e of References Cited (PTO-892)	4) Interview Summary				
	e of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	Paper No(s)/Mail Da 5) Notice of Informal P	ate Patent Application (PTO-152)			
	r No(s)/Mail Date	6) Other:	. ,			

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DETAILED ACTION

Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) on Applicant's specification page 1, in view of Barkat (U.S. Patent No. 5,805,672) and in view of Kawashima (U.S. Patent No. 5,201,068).

Regarding to claims 2 and 4, Admitted Prior Art (APA) teaches a method for adjusting a volume level of key tones in a communication mode and a standby mode of the cellular phone, comprising the steps of adjusting by user first manually actuating the cellular phone to raise the key tone volume level; and second manually actuating the cellular phone to lower the key tone volume level; and raising or lowering the key tone volume level respectively in response to the first or the second manually actuating inputted to the cellular phone (see Admitted Prior Art (APA) on Applicant's specification page 1). But the APA fails to teach the registering by the user of voice command and commanding the volume adjustment to the cellular phone.

However, Barkat teaches the registering voice command by the user (see figs. 2 and 4, col. 4, lines 8-19 and lines 55-67). And Kawashima teaches the voice command for commanding the volume adjustment to the cellular phone (see figs. 2, 6 A-D and 9, col. 1 lines 59-67, col. 6 lines 64-68 and col. 7 lines 1-9).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time invention was made to provide the above teaching of Barket's registration and Kawashima's voice recognition technique, in order to provide user with hand free and the convenience to used the voice registration and voice recognition to input the voice command (see Barket col. 3, lines 26-52).

Response to Arguments

3. Applicant's arguments with respect to claims 2 and 4 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any response to this action should be mailed to: 4.

> Commissioner of Patents and Trademarks Washington, D.C. 20231

or faxed to:

(571) 273-8300, (for Technology Center 2600 only)

Hand-delivered responses should be brought to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314).

Any inquiry concerning this communication or earlier communications from the 5. examiner should be directed to Tan Trinh whose telephone number is (571) 272-7888. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor, Nay Maung, can be reached at (571) 272-7882.

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The fax phone number for the organization where this application or proceeding is

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assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the Technology Center 2600 Customer Service Office whose telephone

number is (703) 306-0377.

6. Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tan H. Trinh

Art Unit 2684

Jan. 18, 2006

TILAHUN GESESSE

PHIMARY EXAMINER